

EXHIBIT C

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18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 Case No. 5:23-CR-00021-JGB

22 Plaintiff,

23 vs.

24 JASON EDWARD THOMAS
25 CARDIFF

26 And

27 LILIA MURPHY and BRIAN
28 KENNEDY

Sureties

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30
31 **DECLARATION OF JASON CARDIFF IN SUPPORT OF RESPONSE TO**
32 **GOVERNMENT'S MOTION FOR ORDER FORFEITING BAIL AND FOR SUMMARY**
33 **ADJUDICATION OF OBLIGATION**

34 I, Jason Cardiff, declare as follows:

- 35 1. I am a party in the above-entitled action. I have personal knowledge

1 of the facts set forth herein. If called as a witness, I could and would
2 competently testify to the matters stated herein. I make this
3 declaration in support of Jason Cardiff's Response to Government's
4 Motion for Order Forfeiting Bail and for Summary Adjudication.

- 5 2. This declaration is submitted under the protections of *Simmons v. United*
6 *States*, 390 U.S. 377 (1968) and the United States Constitution. Pursuant
7 to *Simmons* and my constitutional rights, I would object to the use of this
8 declaration for any purpose beyond the Court's adjudication of my Motion
9 to Dismiss Indictment with Prejudice.
- 10 3. With respect to the Government's motion, the statements made on my
11 behalf in my Status Report, Docket 178, are true and accurate. I do
12 intend to return to the United States as soon as possible. I am concerned
13 that travel before getting treated will result in lasting injury and
14 additional complications to my health.
- 15 4. I understand that one of the factors in determining whether bond should
16 be forfeited is whether the bond was reasonable at the time of issuance. I
17 was present at the bond hearing. One of the arguments made by Mr.
18 Manu Sebastian, one of the government prosecutors, was that I "fled the
19 United States to avoid prosecution" or words to that effect. In fact, I did
20 not flee the United States to avoid prosecution. I was totally unaware of
21 any criminal investigation being conducted during or after the FTC case
22 concluded; that is, until I was arrested in October, 2023.
- 23 5. I was a citizen of Ireland and had a right to relocate my family to Ireland
24 to enjoy a slower and simpler life style. The Permanent Injunction
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1 required that I give written notice and update my address to the Federal
2 Trade Commission if I moved. I gave written notice to the FTC . I
3 understand that there was a close working relationship between the FTC
4 and Mr. Sebastian at the Department of Justice where FTC records and
5 information about me were provided to Mr. Sebastian. It is probable that
6 Mr. Sebastian: (1) knew that I had complied with the injunction; and (2)
7 wanted to get the highest bail possible so he argued that I fled to avoid [a
8 non-existent] prosecution. For that reason, the bond was not reasonable.
9 Any liability for the bond for either me or the sureties should, in fairness,
10 be substantially reduced or eliminated

- 11 6. In addition, I request that any decision on forfeiting bond be deferred
12 until the Court decides four pretrial motions that are currently pending
13 before the Court including: (a) the Motion to Dismiss Count 2 based on
14 the Supreme Court's Dubin decision; (b) the Motion to Dismiss Counts 3
15 and 4 based on the Supreme Court's Aguilar decision; (c) the Motion to
16 Dismiss based on double jeopardy; and (d) the Motion to Suppress
17 Evidence. These motions essentially argue that the Government was not
18 justified in bringing the charges. Dismissal of any of the charges should
19 also result in reduction or elimination of liability on my bond.
20
21 7. My attorney is taking steps to order the transcript of the bond hearing to
22 eliminate any doubt as to whether I am telling the truth or have not
23 recalled Mr. Sebastian's statements correctly.
24
25 8. This is a summary of events. I reserve the right to supplement my
26 testimony if called as a witness at hearing or trial.

27 I declare under penalty of perjury under the laws of the United States of
28 America that the foregoing is true and correct.

1 Executed on this 10th day of February 2025, at Dublin, Ireland.
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Jason Cardiff